

Testimony before the Senate Committee on Appropriations,  
Subcommittee on Agriculture, Rural Development, Food and  
Drug Administration, and Related Agencies

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Mr. Chairman, members of the committee. Good afternoon. On behalf of the pet food industry, I wish to thank you for the opportunity to appear before this Subcommittee to provide information and counsel and answer any questions that I can during this difficult time for America's pet owners. My wife and I have a Cockapoo dog, named Sven, and a Persian cat, named Gus, and our hearts go out to those affected these by foreign substances in pet food.

Mr. Chairman, since the very first evidence surfaced that something might be wrong with some pet food, our industry has been working closely with the Food and Drug Administration to determine the cause and to reassure pet owners around the country. I am here today, as part of that continuing cooperation with authorities and officials, to answer any questions lawmakers have about the industry, how it is organized and how the industry in general responded to the situation that first came to our attention the

afternoon of March 16. These recent weeks have been difficult ones for pet owners concerned and confused about the recall. The industry is working diligently with the FDA to determine how a basic food ingredient was adulterated with a substance our industry has never seen and never would have expected to find in our products.

The industry is committed to working tirelessly to continue our efforts to keep America's pets safe and healthy.

For nearly fifty years the Pet Food Institute has been the voice of U.S. pet food manufacturers, representing the companies that make 98 percent of all dog and cat food in the United States. Our member companies are large and small and range from America's best known and oldest brands to small family owned companies. Our members make both dry and wet foods as well as biscuits and treats for America's 150 million dogs and cats.

Pet food has one of the highest consumer confidence ratings of any product in the grocery store today. Our recent polling, and that of Gallup, indicates consumers have confidence in the industry even in this time of confusion and concern. They have faith the industry will take the right steps in the

coming weeks. We see our cooperation with Congress, and with FDA, as just one of those steps.

Pet food is perhaps THE most highly regulated product on store shelves. In addition to companies' own high standards and proprietary recipes that dictate appropriate levels of nutrition, vitamins, minerals and flavor, pet food manufacturers are governed by the U.S. Food & Drug Administration, the U.S. Department of Agriculture, as well as authorities in all 50 states.

- Pet foods are required by law to provide on their labels more information than most human foods, and must, in fact, guarantee their nutritional information, unlike "typical" analyses for human foods.
- State Departments of Agriculture and Regulatory Agencies provide standards and enforcement policies for the regulation of pet foods resulting in safe foods, through an internationally recognized and respected body of regulators, the Association of American Feed Control Officials. That body's "Official Publication", revised annually by them and widely distributed among regulators and

industry, is recognized by many countries around the world as the leading authority in pet food regulation.

- Ingredients in pet food must be acceptable to state and federal authorities.
- The same FDA employees who inspect human food facilities may also inspect pet food plants.
- Pet foods are wholesome and truthfully labeled and meet all FDA requirements.
- Pet food ingredients undergo significant testing for safety and quality assurance including screening for mycotoxins (including aflatoxin), bacteria (including *Salmonella* and *E.coli*) and nutrient content. Furthermore the finished product is analyzed to ensure appropriate nutrient levels, which include evaluation of protein (including 12 amino acids), fat, fiber, vitamins, and minerals for the appropriate stage of the pet's life.

Despite all of these requirements, at the end of the day, no regulations are as stringent or standards as high as the ones the companies set for themselves.

They do everything possible to ensure their products deliver on their brand promises. It just makes good business sense that happy pets and pet owners mean happy customers.

With respect to the current recalls, neither the investigators nor the industry know the exact reason why animals were sickened. But while the FDA continues its investigation, the pet food industry is taking steps to examine and, if necessary, enhance the safety and security of the manufacturing process.

To that end, today I want to announce that the Pet Food Institute has formed an industry-government partnership called the National Pet Food Commission. This Commission is composed of government officials, veterinarians, toxicologists and nutritionists who are committed to maintaining and enhancing the high standards we have set in this country. It will include such individuals as Dr. Angele Thompson, nationally known pet nutritionist, who will act as Chair; as well as Dr. Murl Bailey, Professor of Veterinary Medicine from Texas A&M University; Dr. Fran Kallfelz, Professor of Veterinary Medicine, Cornell University ; Dr. Rod Noel, of the Indiana State Chemist's office and AAFCO; Randy Gordon, National Grain and Feed Association; Christopher Cowell, Chair of Pet Food Institute's Regulatory Affairs Committee, and an advisor from FDA's Center for Veterinary Medicine.

The purpose of the new Commission is two-fold:

- First, to investigate the cause of the current pet food recall.
- Second, to recommend steps the industry and government should take to further build on the safety and quality standards already in place.

At the conclusion of its work, the Commission will issue a report outlining its findings and offering its recommendations to industry and regulators. The details of this Commission, and ultimately our full report, will be posted to the PFI consumer website

[www.Petfoodreport.com](http://www.Petfoodreport.com)

Now, let me share PFI's actions with respect to the recalls. The association first became aware of the recall on Friday March 16 shortly after 2:00PM EDT when a call came into our offices to an associate of PFI charged with member relations. Menu Foods called to alert us that in about an hour they were issuing a recall of 60 million containers of ðin gravyö pet food produced in two of their four plants. Upon confirmation of the scope of the recall, we e-mailed an alert to our Board of Directors and every one of our members explaining what we had been told. We were on the phone with

members around the country seeking to determine if any other companies were seeing similar issues, but found none at that time.

PFI members have since participated in frequent conference calls for updates on the status of the recall and have cooperated fully with FDA in its investigation. We do feel that if FDA had been able to specify earlier-on what ingredient was under investigation that we could have assisted them in finding and removing affected products from commerce in a more timely fashion.

Much of the rest of the case is well known by people who have followed the headlines in recent weeks. The determination by the FDA is that melamine, a substance completely foreign to the pet food manufacturing process, was present in wheat gluten, an ingredient used widely in both human and pet foods. This is both a puzzle, because we don't know how it got there, and is also a reassurance in that we seem to be getting closer to a conclusion.

Regardless of assertions to the contrary, pet food produced for the United States is among the most regulated products on store shelves today. But, this was not a problem we believe more regulations can fix, because it was

outside the parameters of any known contamination. Our industry routinely tests ingredients for at least as many, and in many cases for more contaminants than done for human food because of the known sensitivity of pets to certain substances, such as aflatoxin.

For instance, we use the same grains as used in human food. However, where testing requirements for human food may only search for aflatoxin, the pet food industry testing regularly includes those for fumonisin, vomitoxin, zearalanone and ochratoxin, as well as other mycotoxins or potential contaminants that do not affect people, but which do affect pets. This also holds true for many other ingredients.

Make no mistake; the pet food industry feels the FDA has done a superb job handling this recall. But early on, when information surfaced about suspicious pet illnesses and deaths, the industry could have been a more valuable partner in the process sooner than it was allowed to be. At that point, the industry should have been allowed the same access to critical information, in the same timeframe, as was the news media. If the industry had access to the same information to which FDA was privy, we could have



cross-referenced that with lot numbers, shipping information and other data that perhaps could have helped reduce the confusion the public felt because of multiple announcements. If you take one thing away from my remarks today, please understand this. The answer to this problem is not additional regulation, rather it is enhanced communication.

The FDA's investigation is ongoing and has not yet reached any conclusions regarding how any foreign substances entered the process. Only when we have this information can we make an accurate and informed decision about the best course of action going forward. It is our commitment that the members of the National Pet Food Commission will bring their considerable experience to bear and work to give pet owners peace of mind that every reasonable and possible safeguard is in place to protect pets in this country.

In regards to the use of imported ingredients and the regulations in place that govern them, Pet Food Institute staff participates in both the US government delegation led by FDA for the World Health Organization's CODEX Alimentarius Commission's Animal Feeding Task Force; and in the Agricultural Trade Advisory Committee (ATAC) for USDA and USTR.

The CODEX Task Force works to establish uniform standards for feedstuffs around the world, and educates member states about the necessity of reducing and where possible, eliminating contaminants that pose a danger to human or animal health.

The pet food industry is very concerned about the health of pets and strives to do the very best job it can to protect it at all times. The vast majority of pet food was never affected by the recall. According the Banfield Veterinary Hospital group which has been working with FDA, of the 237,844 pets seen by them since the onset of this issue, 5 cats and 1 dog have been shown to be tragically affected by products included in this recall.

This is far fewer animals than the public has been led to believe, while the very responsible pet food industry has incurred significant disruption of its operations while taking extraordinary steps to prevent any further loss of life to pets.

Mr. Chairman, the industry is dedicated to supporting the health of dogs and cats, and will continue to cooperate fully as we move forward. There is every reason for consumers to feel confident in the products we produce.

I want to thank you again, Mr. Chairman, for this opportunity to testify before you today. I am happy to answer any questions you may have to the best of my ability.

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